

House bill No. 525 (judicial district bill) was laid before the Senate.
 Senator Stinson moved a call of the Senate.
 Call sustained.
 Roll called.
 Absent—Senator Kilgore.
 The pending business went to the table.
 Senator Kleberg moved to adjourn till 8 o'clock to-night.
 Lost.
 Senator Jerdone moved to adjourn till 10 o'clock to-morrow morning.
 Adopted.

SIXTY-THIRD DAY.

SENATE CHAMBER, }
 AUSTIN, TEXAS, March 27, 1885. }

The Senate met pursuant to adjournment.
 Lieutenant-Governor Gibbs in the chair.
 Roll called.
 Quorum present.
 Prayer by the Chaplain, Dr. Smoot.
 On motion of Senator Kleberg,
 The reading of the journal of yesterday was dispensed with.

The President gave notice of signing the following bills:

House bill No. 236, "An act to authorize and require the Commissioner of the General Land Office to issue a certificate for 1280 acres of land to J. B. Robertson for military service;" and

House bill No. 343, "An act to amend the Revised Civil Statutes of the State of Texas, title 17, by adding thereto article 340a, and to amend article 375 thereof;" and

Substitute House bill No. 148, "An act to amend article 14, chapter 67 of an act to redistrict the State into judicial districts," etc.; and

Senate bill No. 8, "An act to amend chapter 2, article 566 of the Revised Civil Statutes, and to prohibit the formation and chartering of corporations for the purpose of purchasing lots or subdividing lands, and the sale and conveyance of the same;" and

Senate bill No. 209, "An act to preserve the charters of certain railway companies that by reason of the financial condition of the country, have not constructed the number of miles of road annually required by law, and to prevent the forfeiture thereof."

REPORTS OF STANDING COMMITTEES.

By Senator Farrar:

COMMITTEE ROOM,
 AUSTIN, March 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Asylums, to whom was referred substitute House bill No. 265, entitled "An act to provide for the proper control, management and direction of the institutions respectively known as Blind Asylum and Deaf and Dumb Asylum," have had the same under consideration, and instruct me to report it back with the recommendation that it do not pass.

The committee are of the opinion that the laws now in force are sufficient for the proper regulation and government of these institutions.

All of which is respectfully submitted.

FARRAR, Chairman.

Bill read first time.

By Senator Fowler:

COMMITTEE ROOM,
 AUSTIN, March 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined Senate bill No. 235, being "An act to authorize the several county commissioners' courts of the State of Texas to provide for more than four terms of the county court annually, for the transaction of civil, criminal and probate business, and fix the times at which all the terms of said county courts may be held," and find the same correctly enrolled, and have this day, at 11 o'clock a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

COMMITTEE ROOM,
 AUSTIN, March 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 165, being "An act to amend articles 4128 and 4190 of the Revised Civil Statutes of the State of Texas," and find the same correctly enrolled, and have this day, at 11 o'clock a. m., presented the same to the Governor for his approval.

All of which is respectfully submitted.

FOWLER, Chairman.

By Senator Bell:

COMMITTEE ROOM,
 AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 257, being "An act to amend the act entitled 'an act to amend article 3994 of title 80 of the Revised Statutes, approved April 4, 1881,'" and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

By Senator Garrison:

COMMITTEE ROOM,
 AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Insurance, Statistics and History to whom was referred House bill No. 152, entitled to "An act to amend articles 2812, 2813, 2814, 2815, 2816, 2817, 2819 and 2823 of chapter 6, title 48 of the Revised Civil Statutes of the State of Texas," have had the same under consideration, and a majority of the committee instruct me to report it back with the recommendation that it lie upon the table, for the reason that they see no necessity for the legislation contemplated in the bill.

All of which is respectfully submitted.

GARRISON, Chairman.

Bill read first time.

By Senator Fowler:

COMMITTEE ROOM,
 AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred House bill No. 139, entitled "An act to amend section 29 of the act to redistrict the State into judicial districts, and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts, at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883," have had the same under consideration, and instruct me to report it back with the recommendation that it remain on the table subject to the call of the Senate.

All of which is respectfully submitted.

FOWLER, Chairman.

Bill read first time.

By Senator Traylor:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Finance, to whom was referred Senate bill No. 279, to be entitled "An act to authorize the Governor to appoint three assessors and collectors of taxes in unorganized counties of the State, and to define their powers and duties and fix their compensation," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

TRAYLOR, Chairman.

Bill read first time.

By Senator Kilgore:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Constitutional Amendments, to whom was referred substitute House joint resolution No. 30, to amend section 2, article 5 of the Constitution of Texas, have had the same under consideration, and a majority of the committee instruct me to report it back with the recommendation that it do pass.

Joint resolution No. 30 proposes to increase the number of the judges of the Supreme Court to five.

All of which is respectfully submitted.

KILGORE, Chairman.

Read first time.

By Senator Terrell:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Penitentiaries, to whom was referred House bill No. 562, entitled "An act to amend sections 12 and 4 of an act entitled 'an act to provide for the more efficient management of the Texas State penitentiaries, and to make an appropriation therefor,' approved April 18, 1883," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL for Committee.

Bill read first time.

BILLS AND RESOLUTIONS.

By Senator Calhoun:

"An act to reorganize the thirty-fifth judicial district of the State of Texas, and to fix the times and terms of courts therein, and to repeal all laws in conflict with the same."

Referred to Committee on Judicial Districts.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body the passage of

House bill No. 439, sections 1 and 2 of "An act to amend an act entitled 'an act to amend article 4662, chapter 1, title 95 of the Revised Statutes, as amended and approved May 4, A. D. 1883, and to amend articles 4666 and 4668, chapter 1, title 95 of the Revised Civil Statutes, to reduce taxation for general revenue purposes, to conform the tax laws to the amended condition, and to provide for the levy and collection of a tax to maintain a system of free schools under the amended Constitution."

House bill No. 456, "An act to amend chapter 2 of title 48 of the Revised Civil Statutes, so as to add thereto article 2745a." Senate bill No. 122, "An act to regulate the collection of taxes, and to provide for prompt settlement by collectors."

Read second time and enacting clause stricken out.

Senate bill No. 138, "An act to amend chapter 3, title 53 of the Revised Statutes, by adding thereto article 2971a."

Substitute House bills Nos. 8, 34 and 70, "An act to provide for the leasing and sale of the lands heretofore or that may

hereafter be surveyed and set apart for the benefit of the common schools, University, the Lunatic, Blind, Deaf and Dumb, and Orphan Asylum funds."

The House has concurred in Senate amendments Nos. 1, 2, 3, 7, 8, 11, 12, 14 and 16; and has refused to concur in Nos. 4, 5, 6, 9, 10, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24 and 25 of same.

Respectfully,

A. D. SADLER,
Chief Clerk House of Representatives.

On motion of Senator Davis,

The Senate refused to recede from its amendments to substitute to House bills Nos. 8, 34 and 70 (the land bill), and a conference committee was asked for.

The President appointed Senators Davis, Shannon and Calhoun.

The President referred House bill No. 436 to Judiciary Committee No. 1, and

House bill No. 439 to Finance Committee.

House bill No. 252, "An act to amend article 636, chapter 3, title 8, of section 2 of 'an act to adopt and establish a Penal Code and Code of Criminal Procedure for the State of Texas,' was laid before the Senate, and passed by the following vote:

YEAS—13.

Bell,
Calhoun,
Fowler,
Getzandaner,
Glasscock,

Kleberg,
Knittle,
Perry,
Pfeuffer,

Stinson,
Terrell,
Traylor,
Woods.

NAYS—10.

Davis,
Evans,
Farrar,
Garrison,

Hall,
Harrison,
Houston of Bexar,

Kilgore,
Randolph,
Shannon,

ABSENT, NOT VOTING.

Houston of Wheeler, Pope.

House bill No. 526, "An act to define the duties of telegraph companies in the transfer of messages, and to provide adequate penalties for the enforcement thereof," was laid before the Senate.

On motion of Senator Davis,

The bill was postponed and made the special order for to-morrow after morning call, and from day to day until disposed of.

On motion of Senator Davis,

Senators Houston of Wheeler and Pope were excused for the day, on account of sickness.

Senate bill No. 122, "An act to regulate the collection of taxes, and to provide for prompt settlement by collectors," was laid before the Senate with House amendment, and,

On motion, was postponed indefinitely.

Senate bill No. 138, "An act to amend chapter 3, title 53 of the Revised Statutes, by adding thereto article 2971a," was laid before the Senate, with House amendments.

Senator Farrar moved to concur in the first House amendment, and moved the previous question on the amendments of the House.

Previous question seconded, and

Main question ordered.

The first House amendment was concurred in by the following vote:

YEAS—23.

Bell,
Calhoun,
Davis,
Evans,
Farrar,

Fowler,
Garrison,
Getzandaner,
Glasscock,
Hall,

Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,

Perry,
Pfeuffer,
Randolph,

Shannon,
Stinson,
Terrell,

Traylor,
Woods.

NAYS—1.

Harrison.

The second House amendment was concurred in. Senator Fowler moved to reconsider the vote by which the Senate, on yesterday, concurred in the House amendment to Senate bill No. 141, "An act to amend articles 29 and 30 of the Code of Criminal Procedure for the State of Texas."

Adopted.

Senator Fowler moved to concur in the House amendment.

Adopted by the following vote:

YEAS—24.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Garrison,
Getzendaner,

Glasscock,
Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,

Perry,
Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Traylor,
Woods.

NAYS—none.

Senator Davis moved to take up House bills with favorable committee reports and act upon such bills first.

Adopted.

House bill No. 525, "An act to amend section 11 of 'an act to redistrict the State into judicial districts,'" etc., was laid before the Senate, and

Read the second time and passed to third reading.

On motion of Senator Fowler,

The constitutional rule was suspended, and

The bill was placed on its final reading by the following vote:

YEAS—22.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Garrison,
Getzendaner,

Glasscock,
Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kleberg,
Knittel,

Perry,
Pfeuffer,
Randolph,
Shannon,
Stinson,
Traylor,
Woods.

NAYS—none.

ABSENT, NOT VOTING.

Kilgore,

Terrell.

The bill was read third time and passed.

By leave, the following committee reports were sent up:

By Senator Perry:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Roads and Bridges, to whom was referred substitute House bill No. 360, entitled "An act to amend article 4390a of chapter 87 of the acts of the called session of the Eighteenth Legislature, approved April 5, 1884," have carefully examined the same, and said committee instruct me to report the same back with the accompanying substitute, and recommend that said substitute do pass.

All of which is respectfully submitted.

PERRY, Chairman.

Bill read first time.

By Senator Traylor:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Finance, to whom was referred House bill No. 439, entitled "An act amendatory of sections 1 and 2 of an act entitled 'an act to amend article 4662, chapter 1, title 1 of the Revised Statutes, as amended and approved May 4, 1882, and to amend article 4666 and 4668, chapter 1, title 1 of the Revised Civil Statutes, to reduce taxation for general revenue purposes, to conform the tax laws to the amended constitution, and to provide for the levy and collection of a tax to maintain a system of free schools under the amended constitution,'" have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

TRAYLOR, Chairman.

Bill read first time.

On motion of Senator Traylor,

One hundred copies of the bill were ordered printed for the use of the Senate.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred Senate bill No. 280, entitled "An act to reorganize the fifth judicial District of the State of Texas, to fix the terms of courts therein, and to repeal all laws in conflict with the same," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

FOWLER, Chairman.

Bill read first time.

Senator Terrell offered the following resolution:

Resolved, That each of the committee clerks of the Senate, when not in the actual service of the committee, be required to assist the enrolling clerk in the performance of his duty for the remainder of the present session.

Adopted.

House bill No. 124, "An act to amend article 31 of chapter 1, title 31 of the Revised Civil Statutes of the State of Texas," was laid before the Senate.

Read second time, with majority (favorable) minority (unfavorable) committee reports.

On motion of Senator Glasscock,

The minority report was adopted.

House bill No. 483, "An act to amend article 4662 of the Revised Statutes, was laid before the Senate with committee amendment, and read second time.

On motion of Senator Bell,

The committee amendment was adopted, and the bill was passed to third reading.

(Senator Terrell in the chair.)

House bill No. 373, "An act to authorize the collector of a newly organized county to collect the paid taxes found to be due in his county by the assessors' rolls of the county or counties from which such county has been taken, or to which it has been attached for judicial purposes, and to provide for making transcripts from such rolls for the use of the collector in the new county," was laid before the Senate, and

Read the second time and passed to third reading.

On motion of Senator Davis,

The constitutional rule was suspended, and

The bill was placed on its final passage by the following vote:

YEAS—23.

| | | |
|--------------|-------------------|-----------|
| Bell, | Hall, | Pfeuffer, |
| Calhoun, | Harrison, | Randolph, |
| Davis, | Houston of Bexar, | Shannon, |
| Evans, | Jerdone, | Stinson, |
| Fowler, | Kilgore, | Terrell, |
| Garrison, | Kleberg, | Traylor, |
| Getzendaner, | Knittel, | Woods. |
| Glasscock, | Perry, | |

NAYS—none.

ABSENT, NOT VOTING.

Farrar.

The bill was read the third time and passed by the following vote:

YEAS—22.

| | | |
|--------------|-----------|-----------|
| Bell, | Hall, | Pfeuffer, |
| Calhoun, | Harrison, | Randolph, |
| Davis, | Jerdone, | Shannon, |
| Evans, | Kilgore, | Stinson, |
| Fowler, | Kleberg, | Terrell, |
| Garrison, | Knittel, | Traylor, |
| Getzendaner, | Perry, | Woods. |
| Glasscock, | | |

NAYS—none.

ABSENT, NOT VOTING.

Farrar,

Houston of Bexar.

House bill No. 579, "An act to divide the eastern portion of Tom Green county into six new counties, namely: Ector, Winkler, Loving, Upton, Crane and Hunter, and defining the boundaries thereof," was laid before the Senate and

Read the second time, and

The Senate refused to pass the bill to its third reading.

On motion of Senator Davis,

The vote by which the bill was lost was reconsidered.

The bill was then lost by the following vote:

YEAS—10.

| | | |
|--------------|----------|----------|
| Bell, | Kilgore, | Shannon, |
| Calhoun, | Knittel, | Stinson, |
| Davis, | Perry, | Terrell. |
| Getzendaner, | | |

NAYS—12.

| | | |
|------------|-------------------|-----------|
| Farrar, | Harrison, | Pfeuffer, |
| Fowler, | Houston of Bexar, | Randolph, |
| Glasscock, | Jerdone, | Traylor, |
| Hall, | Kleberg, | Woods. |

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to report to your honorable body that the House insists on its second, third and fourth amendments to Senate bill No. 48, and asks for a conference committee on same, and appoints Messrs. Jones of McLennan, Pendleton of Bell and Henderson on the part of the House.

That the House insists upon its second amendment to Senate bill No. 180, "An act to amend section 4 of 'an act to re-district the State into judicial districts,'" etc., and asks for a conference committee on same, and appoints on such committee, on the part of the House, Messrs. Blount of San Augustine, Caven and Ingraham.

Respectfully,

A. D. SADLER,
Chief Clerk House Representatives.

Senator Getzendaner moved to appoint the conference committee asked for on Senate bill No. 48.
Adopted.

Senators Getzendaner, Davis and Calhoun were appointed on the committee.

Senator Garrison moved to grant the conference committee asked for on Senate bill No. 180.

Adopted.

Senators Garrison, Kilgore and Hall were appointed on the committee.

Senator Fowler sent up the following privileged reports:

COMMITTEE ROOM,
AUSTIN, March 25, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills, have carefully examined and compared Senate bill No. 209, being "An act for the relief of railway companies," and find the same correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

All of which is respectfully submitted.

FOWLER, Chairman.

COMMITTEE ROOM,
AUSTIN, March 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 8, being "An act to amend chapter 2, article 566 of the Revised Statutes," and find the same correctly enrolled, and have this day, at 10:50 o'clock a. m., presented the same to the Governor for his approval.

All of which is respectfully submitted.

FOWLER, Chairman.

On motion of Senator Shannon,
Senate bill No. 280, "An act to reorganize the thirty-fifth judicial district of the State of Texas, to fix the times and terms of courts therein, and to repeal all laws in conflict with the same," was taken up.

The constitutional rule was suspended, and the bill was placed on its second reading by the following vote:

YEAS—24.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Perry, |
| Calhoun, | Hall, | Pfeuffer, |
| Davis, | Harrison, | Randolph, |
| Evans, | Houston of Bexar, | Shannon, |
| Farrar, | Jerdone, | Stinson, |
| Fowler, | Kilgore, | Terrell, |
| Garrison, | Kleberg, | Traylor, |
| Getzendaner, | Knittel, | Woods. |

NAYS—none.

The bill was read second time and ordered engrossed.

On motion of Senator Shannon,

The constitutional rule was suspended, and the bill was placed on its third reading by the following vote:

YEAS—22.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Knittel, |
| Calhoun, | Hall, | Pfeuffer, |
| Davis, | Harrison, | Shannon, |
| Evans, | Houston of Bexar, | Stinson, |
| Farrar, | Jerdone, | Terrell, |
| Fowler, | Kilgore, | Traylor, |
| Garrison, | Kleberg, | Woods. |
| Getzendaner, | | |

NAYS—none.

ABSENT, NOT VOTING.

Perry,

Randolph.

The bill was read third time and passed by the following vote:

YEAS—23.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Pfeuffer, |
| Calhoun, | Hall, | Randolph, |
| Davis, | Harrison, | Shannon, |
| Evans, | Houston of Bexar, | Stinson, |
| Farrar, | Jerdone, | Terrell, |
| Fowler, | Kilgore, | Traylor, |
| Garrison, | Kleberg, | Woods, |
| Getzendaner, | Knittel, | |

NAYS—none.

ABSENT, NOT VOTING.

Perry.

House bill No. 349, "An act to amend article 797, chapter 17, title 17 of the Penal Code of the State of Texas," was laid before the Senate, and

Passed to third reading by the following vote:

YEAS—17.

| | | |
|------------|-------------------|-----------|
| Bell, | Houston of Bexar, | Pfeuffer, |
| Calhoun, | Jerdone, | Randolph, |
| Farrar, | Kilgore, | Terrell, |
| Fowler, | Kleberg, | Traylor, |
| Garrison, | Knittel, | Woods, |
| Glasscock, | Perry, | |

NAYS—6.

| | | |
|--------|--------------|----------|
| Davis, | Getzendaner, | Shannon, |
| Evans, | Harrison, | Stinson, |

ABSENT, NOT VOTING.

Hall.

(The President in the chair.)

Substitute House bills Nos. 171 and 208, "An act to amend article 425 of the Penal Code of the State of Texas," was laid before the Senate, and

Read second time with committee amendment.

The committee amendment was adopted, and

The bill was passed to third reading.

On motion of Senator Kleberg,

The Senate adjourned till 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

On motion of Senator Evans,

House joint resolution No. 25, proposing an amendment to section 20, article 16 of the Constitution of the State of Texas, was laid before the Senate, and

Passed to third reading by the following vote:

YEAS—14.

| | | |
|----------|--------------|----------|
| Bell, | Getzendaner, | Shannon, |
| Calhoun, | Harrison, | Stinson, |
| Davis, | Kilgore, | Terrell, |
| Evans, | Perry, | Traylor, |
| Farrar, | Randolph, | |

NAYS—7.

| | | |
|-------------------|----------|-----------|
| Hall, | Kleberg, | Pfeuffer, |
| Houston of Bexar, | Knittel, | Woods, |
| Jerdone, | | |

ABSENT, NOT VOTING.

Garrison, Glasscock.

Paired: Senators Fowler and Houston of Wheeler. The former would have voted "nay," the latter "yea."

House bill No. 409, "An act to amend article 4518

of chapter 1, title 91 of the Revised Civil Statutes of the State of Texas," was laid before Senate,

Read the second time, and passed to third reading.

(Senator Shannon, President pro tem., in the chair.)

House bill No. 162, "An act to amend article 2411 chapter 4, title 42 of the Revised Civil Statutes of the State of Texas," was laid before the Senate, and

Read the second time.

Senator Woods moved to strike out "stationery, Lost.

The bill was passed to third reading.

By leave, the following reports were sent up.

By Senator Traylor:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Finance, to whom was referred House bill No. 456, entitled "An act to amend chapter 2 of title 48 of the Revised Civil Statutes, so as to add thereto article 2745a," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

TRAYLOR, Chairman.

Bill read first time.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred House bill No. 529, entitled "An act to amend 'an act to reorganize the State into judicial districts and fix the times of holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883, in so far as the same relates to the second and fourth judicial districts, and to repeal all laws in conflict herewith," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

FOWLER, Chairman.

Bill read first time.

Senate bill No. 257, "An act to amend 'an act to amend article 3994, of title 80, of the Revised Statutes,' approved April 4, 1881," was laid before the Senate.

Read third time and passed.

Substitute House bill No. 238 was laid before the Senate, and

On motion of Senator Pfeuffer was postponed and made the special order for to-morrow.

(The President in the chair.)

House bill No. 96, "An act to amend 'an act to amend article 4411 of the Revised Civil Statutes, approved March 5, 1883," was laid before the Senate and read the second time.

Senator Kleberg moved to strike out "ten days" and insert "eight days."

Senator Davis moved the previous question on the amendment and the bill.

Seconded.

Main question ordered.

The amendment was lost.

The Senate refused to pass the bill to third reading by the following vote:

YEAS—9.

| | | |
|---------|-------------------|-----------|
| Bell, | Houston of Bexar, | Kleberg, |
| Evans, | Jerdone, | Randolph, |
| Farrar, | Kilgore, | Woods, |

NAYS—12.

Calhoun,
Davis,
Fowler,
Getzendaner,

Harrison,
Knittel,
Perry,
Pfeuffer,

Shannon,
Stinson,
Terrell,
Traylor.

ABSENT, NOT VOTING.

Garrison,

Hall.

Senator Bell sent up the following privileged report:

COMMITTEE ROOM,
AUSTIN, March 27, 1885.

Hon. Barn bbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 280, being "An act to reorganize the thirty-fifth judicial district of the State of Texas, and to fix the times and terms of courts therein, and to repeal all laws in conflict with the same," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 27, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body the passage of

Senate bill No. 254, "An act requiring the Attorney-General to institute legal proceedings against corporations doing business within this State in violation of sections 5 and 6, article 10 of the Constitution of Texas."

And of substitute Senate bill No. 264, "An act to restore the jurisdiction of the county courts of Bosque and Llano counties, and to repeal all laws in conflict therewith."

Substitute House bill No. 91, "An act to amend title 10, chapter 1, article 849 of the Code of Criminal Procedure of the State of Texas."

House bill No. 586, "An act to protect persons in the settlement of the common school, University, the Lunatic, Blind, Deaf and Dumb and Orphan Asylum lands, and to prescribe penalties for an interference of their legal rights."

A. D. SADLER,
Chief Clerk House of Representatives.

On motion of Senator Kleberg,

House bill No. 586, "An act to protect persons in the settlement of the common school, University, the Lunatic, Blind, Deaf and Dumb, and Orphan Asylum lands, and to prescribe penalties for an interference with their legal rights," was taken up, and read first time, and

On motion the constitutional rule was suspended, and

The bill was placed on its second reading by the following vote:

YEAS—23.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Getzendaner,
Glasscock,

Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,
Perry,

Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Traylor,
Woods.

NAYS—none.

ABSENT, NOT VOTING.

Garrison.

The bill was read second time and passed to third reading.

On motion of Senator Kleberg,

The constitutional rule was suspended, and

The bill was placed on its final passage by the following vote:

YEAS—22.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Getzendaner,
Glasscock,

Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,

Perry,
Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Woods.

NAYS—none.

ABSENT, NOT VOTING.

Garrison,

Traylor.

The bill was read third time and passed by the following vote:

YEAS—23.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Getzendaner,
Glasscock,

Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,
Perry,

Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Traylor,
Woods.

NAYS—none.

ABSENT, NOT VOTING.

Garrison.

Substitute Senate bill No. 264, "An act to restore the jurisdiction of the county courts of Bosque and Llano counties, and to repeal all laws in conflict therewith," was laid before the Senate with House amendments.

On motion of Senator Pfeuffer,

The first House amendment was concurred in.

On motion of Senator Traylor,

The second House amendment was concurred in.

On motion of Senator Davis,

House bill No. 91, "An act to amend title 10, chapter 1, article 849 of the Code of Criminal Procedure of the State of Texas," was taken up out of its regular order and read the first time.

Senator Davis moved to suspend the constitutional rule and place the bill on its second reading.

Adopted by the following vote:

YEAS—23.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Getzendaner,
Glasscock,

Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,
Perry,

Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Traylor,
Woods.

NAYS—none.

ABSENT, NOT VOTING.

Garrison.

The bill was read second time and passed to third reading.

On motion of Senator Davis,

The rule was further suspended, and

The bill was placed on its final passage by the following vote:

YEAS—22.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Getzendaner,
Glasscock,

Hall,
Harrison,
Jerdone,
Kilgore,
Kleberg,
Knittel,
Perry,

Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Traylor,
Woods.

NAYS—none.

ABSENT NOT VOTING.

Garrison, . Houston of Bexar.

The bill was read a third time and passed by the following vote:

YEAS—22.

| | | |
|--------------|-------------------|-----------|
| Bell, | Harrison, | Pfeuffer, |
| Calhoun, | Houston of Bexar, | Randolph, |
| Davis, | Jerdone, | Shannon, |
| Farrar, | Kilgore, | Stinson, |
| Fowler, | Kleberg, | Terrell, |
| Getzendaner, | Knittel, | Traylor, |
| Glasscock, | Perry, | Woods. |
| Hall, | | |

NAYS—none.

ABSENT, NOT VOTING.

Evans, Garrison.

On motion of Senator Terrell,

House bill No. 562, "An act to amend sections 1, 2 and 4 of 'an act to provide for the more efficient management of the Texas State penitentiaries, and to make an appropriation therefor,' approved April 18, 1883," was taken up out of its regular order, and

On motion of Senator Terrell,

The constitutional rule was suspended, and

The bill was placed on its second reading by the following vote:

YEAS—23.

| | | |
|--------------|-------------------|-----------|
| Bell, | Harrison, | Pfeuffer, |
| Calhoun, | Houston of Bexar, | Randolph, |
| Evans, | Jerdone, | Shannon, |
| Farrar, | Kilgore, | Stinson, |
| Fowler, | Kleberg, | Terrell, |
| Getzendaner, | Knittel, | Traylor, |
| Glasscock, | Perry, | Woods. |
| Hall, | | |

ABSENT NOT VOTING.

Davis, Garrison.

The bill was read second time and passed to third reading.

On motion of Senator Terrell,

The rule was further suspended, and the bill was placed on its final passage by the following vote:

YEAS—21.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Pfeuffer, |
| Calhoun, | Houston of Bexar, | Randolph, |
| Evans, | Jerdone, | Shannon, |
| Farrar, | Kilgore, | Stinson, |
| Fowler, | Kleberg, | Terrell, |
| Garrison, | Knittel, | Traylor, |
| Getzendaner, | Perry, | Woods. |

NAYS—1.

Harrison.

ABSENT, NOT VOTING.

Davis, Hall.

The bill was read third time and passed by the following vote:

YEAS—21.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Pfeuffer, |
| Calhoun, | Houston of Bexar, | Randolph, |
| Evans, | Jerdone, | Shannon, |
| Farrar, | Kilgore, | Stinson, |
| Fowler, | Kleberg, | Terrell, |
| Garrison, | Knittel, | Traylor, |
| Getzendaner, | Perry, | Woods. |

NAYS—1.

Harrison.

ABSENT, NOT VOTING.

Davis, Hall.

Senator Davis entered a motion to reconsider the vote by which House bill No. 96, relative to road law, failed to pass to third reading.

On motion of Senator Woods,

Substitute House bill No. 360, "An act to amend article 4390a, of chapter 1, title 87 of the acts of the called session of the Eighteenth Legislature, approved April 5, 1884," was taken up out of its regular order.

Senator Woods moved to suspend the rule and place the bill on its second reading.

Adopted by the following vote:

YEAS—22.

| | | |
|--------------|------------|-----------|
| Bell, | Glasscock, | Pfeuffer, |
| Calhoun, | Harrison, | Randolph, |
| Davis, | Jerdone, | Shannon, |
| Evans, | Kilgore, | Stinson, |
| Farrar, | Kleberg, | Terrell, |
| Fowler, | Knittel, | Traylor, |
| Garrison, | Perry, | Woods. |
| Getzendaner, | | |

NAYS—none.

ABSENT, NOT VOTING.

Hall,

Houston of Bexar.

The bill was read second time with substitute.

Senator Davis moved to postpone the bill and the substitute indefinitely.

Lost by the following vote:

YEAS—6.

| | | |
|---------|----------|-----------|
| Davis, | Hall, | Kleberg, |
| Farrar, | Jerdone, | Randolph. |

NAYS—17.

| | | |
|--------------|-------------------|----------|
| Bell, | Glasscock, | Shannon, |
| Calhoun, | Harrison, | Stinson, |
| Evans, | Houston of Bexar, | Terrell, |
| Fowler, | Knittel, | Traylor, |
| Garrison, | Perry, | Woods. |
| Getzendaner, | Pfeuffer, | |

ABSENT, NOT VOTING.

Kilgore.

The Senate refused, by the following vote, to adopt the substitute:

YEAS—9.

| | | |
|--------------|-----------|----------|
| Bell, | Harrison, | Perry, |
| Evans, | Jerdone, | Stinson, |
| Getzendaner, | Knittel, | Woods. |

NAYS—14.

| | | |
|-----------|-------------------|-----------|
| Calhoun, | Glasscock, | Randolph, |
| Davis, | Hall, | Shannon, |
| Farrar, | Houston of Bexar, | Terrell, |
| Fowler, | Kleberg, | Traylor. |
| Garrison, | Pfeuffer, | |

ABSENT, NOT VOTING.

Kilgore.

Senator Terrell moved to amend caption so as to read:

"An act to amend article 4390a of chapter 1, title 87 of the acts of the called session of the Eighteenth Legislature, and to add 4390a $\frac{1}{2}$."

Senator Kleberg moved to lay the bill on the table subject to call.

Adopted by the following vote:

YEAS—14.

| | | |
|--------------|-----------|-----------|
| Bell, | Harrison, | Pfeuffer, |
| Davis, | Jerdone, | Randolph, |
| Fowler, | Kleberg, | Shannon, |
| Getzendaner, | Knittel, | Woods. |
| Hall, | Perry, | |

NAYS—7.

Calhoun,
Garrison,
Houston of Bexar,Kilgore,
Stinson,Terrell,
Traylor.

ABSENT, NOT VOTING.

Evans,

Farrar,

Glasscock.

The President gave notice of signing the following bills:

House bill No. 85, entitled "An act to amend articles 3164, 3165, 3166, 3171, 3173, 3176, 3177, 3178 and 3179 of title 61, chapter 2 of the Revised Civil Statutes of the State of Texas, relating to mechanics', contractors', builders' and material men's liens, and to add thereto articles 3179a and 3179b;" and

House bill No. 391, "An act amendatory of and supplementary to the several acts incorporating the city of Dallas."

House bill No. 290, "An act to amend articles 378 and 379, chapter 6, title 11 of the Penal Code of the State of Texas, and to add to said chapter and title article 379a," was laid before the Senate, and read the second time.

Senator Pfeuffer offered the following amendment:

Add to exceptions as follows: "Or wine that has been manufactured from grapes grown in the county."

Lost.

The bill was passed to third reading.

(Senator Terrell in the chair.)

Substitute House bill No. 72, "An act to amend article 4367 of the Revised Statutes," was laid before the Senate, and

Read the second time, and

Passed to third reading.

Substitute House bill No. 270, "An act to amend article 3856 of the Revised Statutes," was laid before the Senate.

Read the second time and passed to third reading.

House bill No. 287, "An act to amend article 3969, title 79, Revised Civil Statutes," was laid before the Senate.

Read second time and passed to third reading.

The following message was received from the House:

HOUSE OF REPRESENTATIVES.
AUSTIN, March 27, 1885.

Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body that Senate bill No. 236, "An act amendatory of an act relating to the commission of award, defining the powers and duties thereof, and to make appropriations to pay the salaries of the judges thereof, approved March 20, 1883, and which was amendatory of an act relating to the same subject, approved July 0, 1881," was lost in the House.

Respectfully,

A. D. SADLER,
Chief Clerk House of Representatives.

Senator Harrison moved to reconsider the vote just taken.

Lost.

House bill No. 87, "An act to amend article 4574 and to repeal article 4576, of the Revised Statutes of the State of Texas," was laid before the Senate, and

Read second time, with committee amendment. The committee amendment was adopted, and

The bill was passed to third reading by the following vote:

YEAS—12.

Farrar,
Getzendaner,
Glasscock,
Hall,Harrison,
Houston of Bexar,
Jerdone,
Kleberg,Knittel,
Pfeuffer,
Traylor,
Woods.

NAYS—11.

Bell,
Calhoun,
Davis,
Evans,Garrison,
Kilgore,
Perry,
Randolph,Shannon,
Stinson,
Terrell.

ABSENT, NOT VOTING.

Fowler.

Substitute House bill No. 218, "An act authorizing the sheriffs, constables, or their deputies, of this State to make persons who are principals or sureties on indemnifying bonds parties to suits, and giving to such sheriffs, constables, or their deputies, time to secure service on such principals and sureties," was laid before the Senate, and

Read the second time with committee amendments.

Committee amendments adopted.

Senator Hall moved to insert, after the word "right," the words "at the return term of the court."

Adopted, and

Bill passed to third reading.

House bill No. 533, "An act to authorize the Secretary of State to purchase for the use of the State the Texas Court of Appeals reports, volumes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, and to contract for the relinquishment of the copyright of said reports with the persons owning the same, and to prevent the copyrighting of future volumes of said reports to the exclusion of the State, and to make an appropriation therefor," was laid before the Senate, and

Read second time with committee amendments.

The committee amendments were adopted, and

The bill was passed to third reading.

On motion of Senator Evans,

The constitutional rule was suspended, and

The bill was placed on its final passage by the following vote:

YEAS—24.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Garrison,
Getzendaner,Glasscock,
Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,Perry,
Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Traylor,
Woods.

NAYS—none

The bill was read third time and passed by the following vote:

YEAS—24.

Bell,
Calhoun,
Davis,
Evans,
Farrar,
Fowler,
Garrison,
Getzendaner,Glasscock,
Hall,
Harrison,
Houston of Bexar,
Jerdone,
Kilgore,
Kleberg,
Knittel,Perry,
Pfeuffer,
Randolph,
Shannon,
Stinson,
Terrell,
Traylor,
Woods.

NAYS—none.

House bill No. 151, "An act to prevent the gift, sale or loaning of pistols, or other deadly weapons to minors, and fixing penalties therefor," was laid before the Senate, and

Read second time with unfavorable committee report.

On motion of Senator Houston of Bexar, The committee report was adopted.

On motion of Senator Kleberg.

House bill No. 502, "An act to postpone the sale of real and personal property for taxes assessed for 1884 until the first Monday in July, 1885," was taken up out of its regular order, and

Read the second time and passed to third reading by the following vote:

YEAS—20.

| | | |
|------------|-------------------|-----------|
| Bell, | Hall, | Perry, |
| Calhoun, | Harrison, | Pfeuffer, |
| Davis, | Houston of Bexar, | Randolph, |
| Farrar, | Jerdone, | Shannon, |
| Fowler, | Kilgore, | Stinson, |
| Garrison, | Kleberg, | Terrell, |
| Glasscock, | Knittel, | |

NAYS—3.

| | | |
|--------------|----------|--------|
| Getzendaner, | Traylor, | Woods. |
|--------------|----------|--------|

ABSENT, NOT VOTING.

Evans.

Senator Glasscock moved to suspend the constitutional rule and place the bill on its third reading.

Adopted by the following vote:

YEAS—22.

| | | |
|--------------|-------------------|-----------|
| Bell, | Hall, | Perry, |
| Calhoun, | Harrison, | Pfeuffer, |
| Davis, | Houston of Bexar, | Randolph, |
| Farrar, | Jerdone, | Shannon, |
| Fowler, | Kilgore, | Stinson, |
| Garrison, | Kleberg, | Terrell, |
| Getzendaner, | Knittel, | Traylor. |
| Glasscock, | | |

NAYS—1.

Woods.

ABSENT NOT VOTING.

Evans.

The bill was read third time and passed by the following vote:

YEAS—22.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Knittel, |
| Calhoun, | Hall, | Perry, |
| Davis, | Harrison, | Pfeuffer, |
| Evans, | Houston of Bexar, | Randolph, |
| Farrar, | Jerdone, | Shannon, |
| Fowler, | Kilgore, | Stinson, |
| Garrison, | Kleberg, | Terrell, |
| Getzendaner, | | |

NAYS—2.

| | |
|----------|--------|
| Traylor, | Woods. |
|----------|--------|

On motion of Senator Traylor,

House bill No. 456, "An act to amend chapter 2, of title 48 of the Revised Civil Statutes, so as to add thereto article 2745a," was taken up and on motion,

The constitutional rule was suspended, and

The bill placed on its second reading by the following vote:

YEAS—23.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Perry, |
| Calhoun, | Hall, | Pfeuffer, |
| Davis, | Harrison, | Randolph, |
| Evans, | Houston of Bexar, | Shannon, |
| Farrar, | Jerdone, | Terrell, |
| Fowler, | Kilgore, | Traylor, |
| Garrison, | Kleberg, | Woods. |
| Getzendaner, | Knittel, | |

NAYS—none.

ABSENT, NOT VOTING.

Stinson.

The bill was read the second time and passed to third reading.

On motion of Senator Traylor,

The constitutional rule was further suspended and

The bill was placed on the final reading by the following vote:

YEAS—23.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Perry, |
| Calhoun, | Hall, | Randolph, |
| Davis, | Harrison, | Shannon, |
| Evans, | Houston of Bexar, | Stinson, |
| Farrar, | Jerdone, | Terrell, |
| Fowler, | Kilgore, | Traylor, |
| Garrison, | Kleberg, | Woods. |
| Getzendaner, | Knittel, | |

NAYS—none.

ABSENT, NOT VOTING.

Pfeuffer.

The bill was read third time and passed by the following vote:

YEAS—24.

| | | |
|--------------|-------------------|-----------|
| Bell, | Glasscock, | Perry, |
| Calhoun, | Hall, | Pfeuffer, |
| Davis, | Harrison, | Randolph, |
| Evans, | Houston of Bexar, | Shannon, |
| Farrar, | Jerdone, | Stinson, |
| Fowler, | Kilgore, | Terrell, |
| Garrison, | Kleberg, | Traylor, |
| Getzendaner, | Knittel, | Woods. |

NAYS—none.

On motion of Senator Garrison,

House bill No. 529, "An act to amend 'an act to redistrict the State into judicial districts, and fix the times of holding court therein, and to provide for the election of judges and district attorneys on said districts at the next general election,' etc., on so far as the same relates to the second and fourth judicial districts," etc., was taken up, and on motion of Senator Kleberg, was postponed indefinitely

On motion of Senator Getzendaner,

The Senate adjourned till ten o'clock to-morrow morning.

SIXTY-FOURTH DAY.

SENATE CHAMBER, }
AUSTIN, March 28, 1885. }

The Senate met pursuant to adjournment. (Senator Shannon, President pro tem., in the chair.)

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Traylor,

The reading of the journal of yesterday was dispensed with.

The President pro tem. gave notice of signing the following bills, to-wit:

House bill No. 49, "An act to amend article 4686 title 95, chapter 2 of the Revised Civil Statutes."